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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,582	02/25/2002	Benjamin Slotznick	8899-42U1	6072

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EXAMINER

SHORTLEDGE, THOMAS E

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/084,582	Applicant(s) SLOTZNICK ET AL.	
	Examiner Thomas E. Shortledge	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 16-27, 33-43 and 48-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 22-27, 33-43 and 54-57 is/are allowed.
- 6) ☒ Claim(s) 16-21 and 48-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Pre-Appeal Brief, filed 02/17/2006.
2. Claims 1-11, 16-27, 33-43 and 48-57 are pending. Claims 1, 10, 16, 22, 33, 42, 48 and 54 are independent. Claims 12-15, 28-32 and 44-47 have been canceled.

Response to Arguments

3. Applicant's arguments, see Pre-Appeal Brief, filed 02/17/2006, with respect to claims 1-11, 22-27, 33-43 and 54-57 have been fully considered and are persuasive. The 102(e) and 103(a) rejections have been withdrawn.
4. Applicant's arguments, see Pre-Appeal Brief, filed 02/17/2006, with respect to the rejection(s) of claim(s) 16-21 and 48-53 under 102(e) and 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Siegel (6,442,523) in view of the applicant's indicated prior art.

Allowable Subject Matter

5. Claim 1-11, 22-27, 33-43 and 54-57 are allowed.

The following is an examiner's statement of reasons for allowance:

The closest prior art of record, Kiraly et al. (6,324,511) teach text reader software that electronically reads text-based data aloud and automatically highlights the text as it is read so that the user can visually associate the spoken words in the text document. The highlighting may be word-by-word highlighting or phrase-by-phrase highlighting (column 9, lines 25-35).

The source of the text-based data may be the contents of a clipboard, a Microsoft Word document, an Internet Explorer document, or text-based data of other application software (col. 8, line 64 through col. 9, line 18). If the source of the text-based data comes from a clipboard, a user may select particular sentences or paragraphs into the clipboard (col. 9, lines 1-7). The selection of text to be highlighted and spoken is automatically selected from the text-based data source in sequential order.

Chung et al. (6,115,686) teach a system for converting an HTML document into audio signals by parsing the HTML files, associating new tags pertaining the rules of reading the text and a PARAM tag that indicates how quickly the text should be spoken, where the text is spoken to the user using a TTS converter (col. 6, lines 40-46 and col. 7, lines 1-6).

Claims 1, 10, 33 and 42 disclose a method of translating an original web page to a visually displayable text-to-speech enabled web page, the original web page being defined by source code including at least text designated for displaying, the method comprising: parsing the text of the source code designated for display into one or more grammatical units, associating a tag with each of the grammatical units, associating an

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event handler with each of the tags, the event handler invokes text-to-speech software code, and reassembling the original web page source code with associated tags and event handlers to form visually displayable text-to-speech enabled web page source, wherein when an even associated with an event handler occurs during user interaction with a display of a text-to-speech enabled web page, the text-to-speech software code causes the grammatical unit associated with the tag of the event handler to be automatically spoken. Chung et al. in view of Kiraly et al. do not teach nor fairly suggest reassembling the original web page source code... to form visually displayable text-to-speech enable web page source code.

Claims 22 and 59 disclose when a pointing device is positioned over a link, the link is automatically highlighted, the associated text is automatically loaded into a text-to-speech software program to speak the text to the user, and finally automatically navigating to the address of the link, and that these steps occur sequentially and without requiring any further user manipulation.

Chung et al. in combination Kiraly et al. do not teach reading the text associated with the highlighted link, and automatically navigating the link, which has been highlighted by pointing device.

Claims 2-9, 11, 23-27, 34-41, 43, and 55-59 would be allowed since they depend from the above claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 16-21 and 48-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel (6,442,523) in view of the applicant's indicated prior art.

As to claims 16 and 48, Siegel teaches a method of allowing a user to interact with a web page displayed on a display device (*col. 19, lines 31-35 and display, col. 4, line 23*), wherein the web page includes one or more grammatical units (*web page with headings, words, sentences and passages, col. 19, lines 20-30*):

(a) positioning a pointing device over a grammatical unit (user mouses over words within a passage *col. 19, lines 20-30*);

(b) automatically loading the grammatical unit into a text-to-speech engine, the grammatical unit thereby being automatically spoken, wherein steps (a) and (b) occur sequentially and without requiring any further user manipulation of the pointing device or any other user interfaces associated with the display device (the word or passage is loaded into the text-to-speech software to read aloud, where all the user has to do is mouse over or click on a word or passage to be read (col. 19, lines 20-30 and 42-52).

Siegel does not explicitly teach a grammatical unit with an active region; however, Siegel teaches each word in the passage is either read aloud or the passage is read aloud by the text-to-speech software when the user mouses over the words. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention, that because each word or passage can be read aloud by the text-to-speech software when a user mouses over it (col. 19, lines 20-30), each word would have an active region).

Siegel does not teach the grammatical unit being automatically highlighted by the highlighting device.

However, the applicant's prior art teaches the user can highlight a portion of text to be read aloud (col. 3, lines 1-4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the automatic text-to-speech of Siegel with the highlighting feature of the applicant's prior art to provide for the user a visual indication of what words or passages are currently being read aloud by the system, helping them understand the word or passage.

As to claims 17 and 49, Siegel does not explicitly teach step (b) occurs only if the pointing device persists in the active region for a greater than a preset time period. However, Siegel teaches a mouse over event (col. 19, line 21), where it would be obvious to one of ordinary skill in the art at the time of the invention that the pointing device would need to persist over a word for certain period of time before it is read aloud so that words would not be erroneously read by the text-to-speech software.

As to claims 18 and 50, Siegel does not explicitly teach the preset time period is a hum perceivable time period. However, Siegel teaches a mouse over event (col. 19, line 21), it would be obvious to one of ordinary skill in the art at the time of the invention that the user would hold the cursor over a position to be read, allowing enough time for the user to properly select the position to begin reading, and so the system will be able to realize the area the user wants to be read.

As to claims 19 and 51, Siegel does not explicitly teach the preset time period is at least about one second. However, Siegel teaches a mouse over event (col. 19, line 21). It would have been obvious to one of ordinary skill in the art at the time of the invention that the user would hold the cursor over a position to be read, so that the system will be able to recognize that the user wants the reading to begin at that position, and since the user must also recognize that this is the position to read, a limit

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of one second would allow for the user and the computer to be sure that this is the position to read.

As to claims 20 and 52, Siegel teaches the grammatical unit is a sentence (col. 37, lines 20-24).

As to claims 21 and 53, Siegel teaches the pointing device is a mouse (mouse, col. 19, line 21).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TS
06/12/2006



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